

A regular meeting of the Board of Selectmen was held on April 27, 2010, 6:00 p.m., in the Francis O'Brien Meeting Room, Town Office Building, 26 Bryant Street, Dedham, Massachusetts. Present were:

Michael L. Butler
Sarah A. MacDonald
James A. MacDonald
Carmen Dellolacono

****Paul A. Reynolds** (Was not present for commencement of this evening's meeting; however he was present when the Boys Wrestling Team recognition began through the conclusion of the meeting.)

Mr. Butler called the meeting to order at 6:05 p.m.

Mr. MacDonald made a motion to enter into Executive Session pursuant to M.G.L. Chapter 39, Section 23B, relative to Collective Bargaining and Contracts; seconded by Mr. Dellolacono. **On the Vote:** Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes. (Mr. Reynolds was not present for the Executive Session.)

At 6:40 p.m. the Board of Selectmen reconvened the regular meeting in open session.

OPEN DISCUSSION – Mr. Butler asked if anyone in the audience had questions for the Board of Selectmen. Hearing no response, he moved forward with the next item on the agenda.

RE-ORGANIZATION OF THE BOARD OF SELECTMEN

Mr. Butler, out-going Chairman, summarized accomplishments throughout the year which resulted from combined efforts of the Board of Selectmen. Mr. Butler went on to say that the Board performed goal setting and documentation; in fact, the goals document has grown to dozens of objectives with assistance from the Board, Town Administrator and his staff. Relative to goals document, it is presently placed on the Town's Website for review/reference. Mr. Butler acknowledged that the Board of Selectmen has received valuable input from the residents who hold the Board accountable.

Mr. Butler personally thanked William Keegan, Town Administrator and his staff, Nancy Baker, Marie Rizzo. Mr. Butler thanked Ms. MacDonald for serving as Vice-Chairman this year. He also thanked Mr. MacDonald, Mr. Dellolacono, and Mr. Reynolds for their assistance during his tenure as chairman—commenting, "The Board may not always agree; however, every day each member rolls up their sleeves to make the Town of Dedham a better place."

Mr. Dellolacono made a motion to nominate Selectman Sarah MacDonald as Chairman; seconded by Mr. MacDonald. **On the Vote:** Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes. (Mr. Reynolds was not present for the vote.)

Mr. Dellolacono made a motion to nominate Selectman James MacDonald Vice-Chairman; seconded by Mr. Butler. **On the Vote:** Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Ms. MacDonald thanked Selectman Butler for his leadership over the past year. She commented that he was thoughtful and measured and she has big shoes to fill. Ms. MacDonald also thanked the Town Administrator, William Keegan, and his staff.

Ms. MacDonald encouraged all to sign up at Town Works. Town Works has the e-mails addresses of all the Board Members. Additionally, every e-mail reaches the five Board Members who are ready to respond to questions and concerns. Ms. MacDonald informed all that the new year ahead will be challenging and she is committed to initiatives with directions, i.e., to form a new Charter Commission, Efficient Government Task Force and Financial Policy Committee. She informed all that the Board of Selectmen will work with the Finance Committee, Capital Expenditures Committee and Building, Planning and Construction Committee to determine capital needs.

Ms. MacDonald stated that she would like to make this Board the most communicative board and noted that they have a busy year going forward.

RECOGNITION OF THE BOYS TOWN WRESTING TEAM AND GIRLS BASKETBALL TEAM

Boys' Wrestling Team--Jim Maher, Coach, Parks & Recreation Commissioner gave the Board and audience an overview of the Boys Wrestling Team Program this season. He acknowledged the Middle School/High School team members. Mr. Maher introduced and recognized the accomplishments of the following members: Matt Dunn, State Sectional Champion, State runner up and 4th New England, Eric Reyes, State Sectional , State and New Champion, Nick Boudreau, State Sectional and State runner up, Matt Richberg, State Sectional and State runner up, Frank Mahoney, State Sectional Champion 171, State runner up.

Ms. MacDonald thanked the boys for coming in this evening—she commented, good job. On behalf of the Board, Ms. MacDonald presented the boys with Certificates of Achievement.

Mr. Dellolacono commented—Nice work, boys. You have represented Dedham very well and the Board of Selectmen are proud of your accomplishments. Mr. Dellolacono went on to say that Coach Jim Maher has done a lot with the boys. He added Mr. Maher is a fantastic coach and a good friend.

Girls' Basketball Team—Ms. MacDonald presented following girls were presented with Certificates of Achievement relative to their accomplishments this season: Kylie Maida, Megan McFarland, Erin McGillicuddy, Katie Montgomery, Camille Walter, Jen Waldman, Andrea Bradbury, Amanda Wynn, Jacquie St. Cyr, Alison Sullivan and Abigail Black. She commented—good job.

The entire Board congratulated the boys and girls on their accomplishments this year and thanked them for coming to their meeting this evening.

VOTE TO APPROVE MWRA LOAN

Present were: Mariellen Murphy, Finance Director and Robin Reyes, Treasurer/Collector.

Ms. Murphy asked the Board if they would consider taking a vote this evening relative to an MWRA Loan, interest free, in the amount of \$272,800.00.

Mr. Dellolacono made a motion that the Treasurer be hereby authorized on behalf of the Town to

Enter into and to execute a Financial Assistance Agreement and a Loan Agreement with the Massachusetts Water Resources Authority (the "MWRA") and any other agreements as may be deemed necessary in connection with the issue and sale of an interest free loan in the aggregate principal amount of a \$272,800 Sewer Bond (the "Bond") to MWRA;

That the Bond is authorized pursuant to Chapter 44, Section 7 (1), of the General Laws, as amended and supplemented, and being a portion of the \$496,000 Sewer Bonds authorized by vote of the Town duly adopted under Article EIGHT at the Special Town Meeting held on November 16, 2009, shall be an interest free loan in the aggregate principal amount of \$272,800 dated as of its date of issue, and shall be payable \$54,560 on May 15 in each of the years 2011 to 2015, inclusive."; seconded by Mr. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes

GREAT STRIDES WALK FOR CYSTIC FIBROSIS

Representing the organization were: Steve McDonough, Christine Coughlin, Kelly Lyons Ducette, Karen Arasmi, Sarah MacDonald and Carmen Dellolacono.

Mr. McDonough informed all that this year will be their 14th Great Strides Walk for Cystic Fibrosis. He went on to say that in 1996, they had one team. This year, they have twenty teams that will walk the four miles. Their target is to raise \$225,000.00.

The 4-mile walk will take place on Sunday, May 16, 2010, starting at the Endicott Estate at 12:00 noon. Mr. McDonough commented that for the past ten years, Chuck Dellolacono, Chuck Wagon, has provided the walkers with Hot Dogs and Hamburgers. Donations can be made to the organization for the cookout. Additionally, they have received support from Prime Honda and Stop & Shop. Mr. McDonough asked for volunteers who can assist with the cookout. There will also be a raffle.

Mr. McDonough informed all that this is a community and family walk—he went on to highlight some of the participating teams from Dedham and surrounding communities.

Mr. MacDonald made a motion to approve the walking route for the Great Strides Walk for Cystic Fibrosis; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes.

BOARD OF SELECTMEN'S POSITIONS ON ARTICLES FOR 2010 ANNUAL TOWN MEETING

Mr. MacDonald made a motion to concur with the Finance Committee relative to the following ATM2010 Articles; seconded by Mr. Butler. **On the Vote:** Mr. Reynolds, yes; Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes:

ATM2010 Articles

Article 1: No action necessary (Election);

Article 2: Personnel by-Law (Approval of Schedules A & B (1% increase for non-contractual employees);

Article 3: Operating Budget;

Article 4: Capital Improvements Budget;

Article 5: Salary elected officials (BOS, Town Clerk, Assessors, Bd. Of Health);

Article 6: MWRA Assessment (No Action Necessary; now part of Sewer Enterprise Fund-Art. 20);

Article 7: Prior Year Special Articles (No Action Necessary);
Article 8: Prior Year Bills (Invoice for Russell Disposal for Yard Waste Collection \$91,000.00);
Article 9: Line Item Transfers (See attached schedule);
Article 10: Appropriation to Stabilization Fund (No Action Necessary);
Article 11: Creation of Special Purpose Stabilization Fund (No Action Necessary);
Article 12: Deposit in special Purpose Stabilization Funds (\$375,000.00 from HSL and \$25,000.00 from COSTCO into Mitigation Stabilization fund; and \$53,691.62 for meals and \$26,672.00 for room occupancy into Major Capital Facilities);
Article 13: Appropriate from Special Purpose Stabilization funds (\$540,796.00 from Mitigation Stabilization fund to fund items in Article 4-Capital Improvements);
Article 14: Lease/Purchase Agreements (No Action Necessary);
Article 15: Reports of Town Committees (No Action Necessary);
Article 16: Appropriation for Sewer Mitigation Fund (No Action Necessary- now part of Sewer Enterprise Fund-Art. 20);
Article 17: Revolving Funds;
Article 18: Conservation Commission Filing Fees (No Action Necessary; law changed allowing Wetlands Protection Fees to be spent without appropriation);
Article 19: Certification of Real & Personal Property (Appropriate \$100,000);
Article 20: Appropriation for Sewer Enterprise Fund (\$7,170,920);
Article 21: Appropriation for OPED (Other Post Employee Benefits) Liability (No Action Necessary);
Article 32: ByLaw Amendment (Open Space Advisory Committee);
Article 33: ByLaw Amendment (Sign Code);
Article 34: ByLaw Amendment (Chapter 13, Section 42);
Article 35: ByLaw Amendment (Regulating Noise Level of Motorcycles);
Article 36: ByLaw Amendment (Defacement of Property);
Article 37: ByLaw Amendment (Sign Code);
Article 42: Transfer a Portion of Land (Condon Park);
Article 44: BOS convey interest in land (Pottery Lane) (No Action Necessary);
Article 45: BOS Authority to Lease Land for Telecommunications (Trans. Sta.);
Article 47: Acceptance of 2010 Municipal Relief Act (No Action Necessary);

Additional Positions of the Board relative to the following articles:

Article 31: Mr. MacDonald made a motion to approve the Finance Committees recommendation Relative to the ByLaw Amendment (Sign Code); seconded by Mr. Dellolacono. **On the Vote:** Mr. Dellolacono, yes, Mr. MacDonald, yes, Mr. Reynolds, no, Mr. Butler, no and Ms. MacDonald, no.

Article 38: Indefinitely postponed;

Article 39: Mr. MacDonald made a motion to endorse the Finance Committee's recommendation relative to the ByLaw Amendment (Stretch Energy Code); seconded by Mr. Butler. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. Butler, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes.

Article 40: Indefinitely postponed;

Article 41: Priority Development Site—Mr. Butler made a motion to concur with the Finance Committee's recommendation; seconded by Mr. MacDonald. **On the Vote:** Mr. Reynolds, yes, Mr. Butler, yes; Mr. Dellolacono, no; Mr. MacDonald, yes; and Ms. MacDonald, yes.

Article 43: Vote to Authorize Acquisition of Land (High St./Pottery Lane) (FinCom will be recommending at Town Meeting); - The Board postponed their position relative to this article until Town Meeting.

Article 46: Special Legislation (Additional All Alcoholic Liquor License – Centre Market, Inc.) – The Board of Selectmen took no official position.

Zoning Articles

Article 22: Zoning Amendment (Wireless Overlay District); - No Position of Board of Selectmen

Article 23: Zoning Amendment (RDO Facilities); - No Position of Board of Selectmen

Article 24: Zoning Amendment (Amend Zoning Map – 337 Washington Street);- No Position of Board of Selectmen

Article 25: Zoning Amendment (Flood Plain Overlay District) – No Position of Board of Selectmen

Article 26: Zoning Amendment (Table 1 in Section 3.1.6) – No Position of Board of Selectmen

Article 27: Zoning Amendment (Planning Board Associate Member) – No Position of Board of Selectmen

Article 28: Zoning Amendment (Construction Standards) – No Position of Board of Selectmen

Article 29: Zoning Amendment (Accessory Dwelling Unit) – No Position of Board of Selectmen

Article 30: Zoning Amendment (Other Accessory Uses) – No Position of Board of Selectmen

DISCUSSION/VOTE: DEDHAM PATROLMEN'S ASSOCIATION AND TOWN ADMINISTRATOR'S CONTRACT

Relative to the Dedham Patrolmen's Association, there was no action taken at this time.

Relative to the William G. Keegan, Jr., Town Administrator: Mr. Butler made a motion, subject to Town Meetings approval to increase the Town Administrator's contract as follows: Retro 2008-2009 \$1,951.00 for a total of \$132,040.00 and 2010 \$1,980.00 for a total of \$134,020.00. Additionally, 2009 increase deferred retirement \$1,000 for a total of \$9,000 and 2010 \$1,000 for a total of \$10,000.00; seconded by Mr. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes.

DISCUSSION WITH ANDY LAWLOR RE: UPDATE ON THE NEW AVERY SCHOOL

Present for the discussion were: Brad Dore, Architect, Andy Lawlor, Chairman, SBRC, June Doe, Dedham Superintendent of Schools and Claire Sullivan, Avery School Principal.

Mr. Lawlor informed the Board that the Manager at Risk relative to the new Avery School will be hired by the end of May, 2010. Additionally, they are working on contract documents which will be out to bid sometime in August, 2010,-- contract will be awarded in September, 2010. Mr. Lawlor went on to say that they plan to break ground in late September or October, 2010. Mr. Lawlor informed all that the contract may be less than anticipated.

Mr. Lawlor discussed the size of the new Gym Floor. The plan is to make the gym High School size for practices 50'W x 84'L. Additionally, 200 bleacher seats will be removed. Mr. Lawlor felt that this gym would work out well for High School Programs and will make no difference to the Elementary Program.

Mr. Lawlor informed all that the cafeteria/auditorium will be two big spaces which will double space for After-School Activities.

Relative to property access, Mr. Lawlor informed all that Alimed is concerned with the access to Pottery Lane, i.e., sidewalk construction. Alimed representatives are concerned with sidewalk construction and they believe Alimed will not have access to their warehouse and trucks will not be able to make deliveries. Mr. Lawlor commented that the Pottery Lane access may not be safe. He went on to say that there were discussions relative to exchanging some land at the Alimed Parking Lot; however, Alimed had second thoughts and there was no deal. Mr. Lawlor informed all that the committee has decided to place the sidewalk on Recreation Way further up the street—adjustments need to be made to the Preliminary Design.

Mr. Dellolacono asked Mr. Lawlor how the school can be considered a Neighborhood School if it is pushed up Recreation Road. Mr. Dellolacono asked if he could be provided with the following information—traffic counts, lighting for safety and drop off locations.

Mr. Dellolacono asked if there was a Public Hearing relative to access of the new school. He also asked if the sidewalk needs to be 8 feet. Relative to safety, Mr. Dellolacono felt having a sidewalk is better than having no sidewalk and asked if the sidewalk can stay in place. Mr. Dellolacono asked if the committee received input from the families in the area of Pottery Lane. Mr. Lawlor informed him that there were a number of open meetings. Mr. Dellolacono commented that changing Pottery Lane is a drastic change—he believes families should have comment.

Ms. MacDonald asked Mr. Lawlor how the vehicle traffic will change—Alimed has the same type of traffic as the Middle School. Mr. Lawlor commented that he thought access on Recreation Road will be better than Pottery Lane. Mr. Lawlor went on to say that Alimed was concerned with employee parking and truck deliveries. Additionally, Recreation Road would separate parents from Alimed employees and safety on Recreation Road is preferable. There will be two Crossing Guards at Maverick/High Streets and Recreation Road/High Streets. Also, school staff will be posted in those locations.

Michael Butler, Vice-Chairman SBRC, informed all that the SBRC preference is the sidewalk hug the eastside of the Parking Lot. Mr. Butler went on to say that the committee thought they had reached a deal with the owner of Alimed; however, he backed away. Mr. Butler commented that he thinks Recreation Road is better for safety.

Mr. Reynolds asked if the pedestrian route on the eastside of the Parking Lot was a dead offer. Mr. Lawlor informed him that they made the best offer to Alimed to keep esthetics, education of school and integrity of the grant in tact. Mr. Lawlor thought they offered Alimed an attractive offer and they made the last best offer that they could—he did not know end game with Alimed.

Bob Fish, Town Meeting Member, Chairman Precinct 6—Asked if the pedestrian walkway could be placed on the other side of the pool—east side, left side of pool. Mr. Butler thought the committee looked at this walkway change—he commented that the grating in this area was significant. Brad Dore, Architect, will look at this area.

The Board thanked Mr. Lawlor and group for attending this evening's meeting and updating them on the new Avery School Project.

Town Administrator's Report

Mr. Keegan updated the Board relative to the Needham Street Bridge problem. He commented that the state is working it—they viewed the bridge as outdated, not closed due to failure. The Town Engineering/DPW is working with the State—not to close off but to narrow the road with truck limitations.

Ms. MacDonald asked if the Electronic Signs could be placed. Mr. Keegan will follow up with the DPW and make adjustments accordingly—he will also work with the State to place signs on Route 128.

Mr. Keegan informed the Board that there will be a ESCO Project Meeting for Town Meeting Members at Dedham Middle School on May 15, 2010, at 7:00 p.m.

Mayanne Briggs – Approval Special Municipal Employee

Mr. MacDonald made a motion to take an item that was not listed on the Board's agenda; seconded by Mr. Butler and voted unanimously.

Mr. MacDonald made informed the Board that due to the fact that Ms. Briggs is employed by the Carroll Center for the Blind and she services Special Ed Students from Dedham, she has requested State Ethics Special Municipal Employee approval from the Board.

Mr. MacDonald made a motion to approve Mayanne Briggs as a Special Municipal Employee for the Town of Dedham; seconded by Mr. Butler. **On the Vote:** Mr. Reynolds, yes; Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes.

Action by the Board

Request for a Drainlayer's License from P.J. Hayes Construction—Mr. Dellolacono made a motion to approve a Drainlayer's License for P.J. Hayes Construction; seconded by Mr. Butler and voted unanimously.

Request for permission to open the Jefferson Place Emergency Gate for 24 Hour Period—Mr. Butler made a motion to approve a request to open the Emergency Gate at Jefferson Place for a period of 24 Hours and with the condition that the Town Administrator's Office be notified 72 hours before the project begins; seconded by Mr. MacDonald and voted unanimously.

Request for a One-Day Liquor License (May 15, 2010, 6:00 p.m. to 11:00 p.m.) from Ursuline Academy 85 Lowder Street—Mr. Dellolacono made a motion to approve a One- Day Liquor License for Ursuline Academy. Deliveries on May 14, 2010, Pickup on May 17, 2010, and Service Only on May 15, 2010; seconded by Mr. Butler and voted unanimously.

Request for a One-Day Liquor License (May 15, 2010, 7:00 p.m. to 11:00 p.m.) from St. John of Damascus Church, 300 West Street—Mr. Dellolacono made a motion to approve a One-Day Liquor License for St. John of Damascus Church. Deliveries on May 14, 2010, Pickup on May 17, 2010, and Service only on May 15, 2010; seconded by Mr. Butler and voted unanimously.

Approval of Selectmen's Meeting Minutes—

Selectmen's Meeting Minutes, November 19, 2009—Mr. Dellolacono made a motion to approve the Board's Meeting Minutes of November 19, 2009; seconded by Mr. Butler and voted unanimously.

Selectmen's Meeting Minutes, December 14, 2009—Mr. Butler made a motion to approve the Board's Meeting Minutes of December 14, 2009; seconded by Mr. MacDonald. **On the Vote:** Mr. Butler, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes. (Mr. Dellolacono and Mr. Reynolds did not take a vote relative to the Board's Meeting Minutes of December 14, 2009.)

Selectmen's Meeting Minutes, April 13, 2010—Mr. Dellolacono made a motion to approve the Board's Meeting Minutes of April 13, 2010; seconded by Ms. MacDonald. **On the Vote:** Mr. Dellolacono, yes; Ms. MacDonald, yes; and Mr. Butler, yes. (Mr. MacDonald and Mr. Reynolds did not take a vote relative to the Board's Meeting Minutes of April 13, 2010.)

OLD/NEW BUSINESS

RE-AFFIRM VOTE RE: SAGRA RESTAURANT 910 WASHINGTON STREET TRANSFER FROM FINZ RESTAURANT

Mr. MacDonald made a motion to ratify the previous Sagra Restaurant votes on the application, i.e., that there will be no "Alteration of the Premises" and that the Board is aware that Finz Dedham Real Estate LLC may have direct or indirect financial or beneficial interest in the license by virtue of the lease with the applicant which provides for a percentage rent; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes.

Continuing on with Old/New Business—

Mr. Butler wished his wife, Cecilia, a Happy Birthday.

Mr. Reynolds wished his son, Ben, a Happy Sixteenth Birthday tomorrow. Mr. Reynolds thanked the Oakdale Alliance for the clean-up in the Oakdale area—he commented that a lot of debris was cleared away. Mr. Reynolds went on to say that Joe Flanagan, DPW Director, was a great help and it was great to see the community rally.

Mr. Dellolacono informed the Board that a resident asked him to inquire about placing a crosswalk at the Endicott Estate.

Additionally, he wanted to clarify that his no vote relative to the Town Administrator's increase in contract was not against him. He stated that he thought Bill Keegan did a fine job. He went on to say that his no vote was due to his opinion relative to the present state of the economy. He asked Mr. Keegan not to take it personal. Mr. Dellolacono appreciated the Board of Selectmen's support.

MASTER PLAN IMPLEMENTATION COMMITTEE MAKEUP

Mr. MacDonald made a motion that the Master Plan Implementation Committee be comprised of the following: Board of Selectmen, School Committee, Planning Board, Finance Committee and an At-Large Member; seconded by Mr. Butler and voted unanimously. (The Board had further discussion relative to the committee and they will select their designee at a future Selectmen's Meeting.)

Relative to the clean-up in East Dedham—Ms. MacDonald thanked the Department of Public Works. She commented that there was a great crew to do clean up. Ms. MacDonald informed all that this weekend there will be two clean ups—one in the Manor Section and another at the Endicott Train Station. The clean-ups will begin at 9:00 a.m.

Mr. MacDonald made a motion to adjourn the meeting; seconded by Mr. Butler. **On the Vote:** Mr. Reynolds, yes; Mr. Butler, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; and Ms. MacDonald, yes.

The meeting adjourned at 8:30 p.m.

This is to certify that the above is a true and accurate record of the Minutes of the Selectmen's Meeting held on April 27, 2010; which Minutes were approve on October 14, 2010.

Sarah A. MacDonald, Chairman